IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 26800 of 2001

Between:

Sri Bramaramba Mallikarjuna Movieland (A.C.Theratre)

Venkatagiri, rep. by Proprietor, Surya Prakash Rao,

S/o Rajaiah, R/o Railway Station Road,
Venkatagiri, Nellore Dist.

..... PETITIONER

AND

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1 The Joint Collector, Nellore, Nellore Dist.
2 The District Panchayat Officer, Nellore, Nellore Dist.
3 The Executive Officer, Gram Panchayat, Venkatagiri, Nellore Dist.
4 The Asst. Commercial Tax Officer, Venkatagiri, Nellore Dist.
5 The Circle Inspector of Police, Venkatagiri, Nellore Dist.
6 Tribuvani Deluxe Theatre, Ammavaripeta, rep. by Ch. Mallikarjuna Rao,

Proprietor, Venkatagiri (M), Nellore Dist.
7 The Govt. of A.P. rep. by Secretary, Revenue (S) Dept., Secretariat,

Hyderabad.
8 The Commissioner of Commercial Taxes, Govt. of A.P.,
Opp: Gandhi Bhavan, Hyderabad.

(RR 7 & 8 are impleaded as per court order in WPMP 9451/2002

Dt.19.9.2002)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ order or direction more particularly one in the nature of Writ of Mandamus directing the respondents 1 to 5 to enforce on 6th respondent by restricting the area of operation without voilating Sub Clause 7(a) of Sec. 3 of A.P. Entertainment Act 1939 by restricting his business activities including publicity of posters and Tom Tom etc. to Ammavaripeta,

Panchayat only Venkatagiri (M), Nellore Dist.

Counsel for the Petitioner: MR.K. Durga Prasad

Counsel for Respondent No.3: Mr. P. Venkata Rao

Counsel for the Respondent No.5: GP FOR HOME

Counsel for Respondent No.6: Mr. D. Srinivas

Counsel for Respondent Nos.1,2,4,7 & 8: G.P. for Commercial Taxes

The Court made the following :

ORDER:

The petitioner theatre was situated within the jurisdiction of Venkatagiri Gram Panchayat while the sixth respondent theatre was situated in Ammavaripeta Gram Panchayat. It is now brought to the notice of this Court that Ammavaripet and Venkatagiri Gram Panchayats have since been merged into Venkatagiri Municipality. In that view of the matter, the grievance of the petitioner that there was differential rate of entertainment tax levied by two Gram Panchayats does not survive.

Accordingly, the Writ Petition is dismissed. No costs.

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V.V.S. RAO, J.

8th July, 2005

Js

To

1 The Joint Collector, Nellore, Nellore Dist.
2 The District Panchayat Officer, Nellore, Nellore Dist.
3 The Executive Officer, Gram Panchayat, Venkatagiri, Nellore Dist.
4 The Asst. Commercial Tax Officer, Venkatagiri, Nellore Dist.
5 The Circle Inspector of Police, Venkatagiri, Nellore Dist.
6 The Secretary, Govt. of A.P. Revenue (S) Dept., Secretariat,

Hyderabad.
7 The Commissioner of Commercial Taxes, Govt. of A.P.,
Opp: Gandhi Bhavan, Hyderabad.

8 Two CCs to G.P. for Home, High Court Buildings, Hyderabad.

9 Two CCs to G.P. for Commercial Taxes, High Court Buildings,

Hyderabad.

10 2 CD copies.